The rejections of Claims 11-13, 26 and 28 as being unpatentable over

Kraemer in view of Wilber and of Claims 14 and 35 as being unpatentable over

Kraemer in view of Wilber and Yasuhara, both under 35 U.S.C. § 103(a), are

traversed, and reconsideration is requested in view of the foregoing amendments

and following remarks.

The operation of the Kraemer pump is fundamentally different from that

of the claimed invention as well as the Wilber injector, thus marking a

hypothetical combination of these apparatuses one based solely on unpermissible

hindsight.

The valve body 10 in the Kraemer pump is moved off its seat against the

bias of spring 11 by supplying current to the solenoid. The pump described in

Wilber is a unit injector system in contrast to the common real-type pump of the

present invention. The fuel that enters from the high-pressure Wilber pump via

passage 30 into the control cavity 18 merely serves to control the injector

pressure but itself is never injected into the combustion chamber. Wilber does

not use a discharge passage provided with a discharge valve that forms a

connection to a common rail.

Page 11 of 12

Serial No. 10/643.925

Amendment Dated: January 22, 2008

Reply to Office Action Mailed: October 9, 2007

Attorney Docket No. 056205.48558C1

One of ordinary skill would not have looked to Wilber and, for that matter,

to Yasuhara to address the problems which the present invention solves with its

novel and unobvious structure. Accordingly, early allowance is earnestly

solicited.

If there are any questions regarding this amendment or the application in

general, a telephone call to the undersigned would be appreciated since this

should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as

a petition for an Extension of Time sufficient to effect a timely response, and

please charge any deficiency in fees or credit any overpayments to Deposit

Account No. 05-1323 (Docket #056205.48558C1).

Respectfully submitted,

January 22, 2008

James F. McKeown

Registration No. 25,406

CROWELL & MORING LLP

Intellectual Property Group

P.O. Box 14300

Washington, DC 20044-4300

Telephone No.: (202) 624-2500

Facsimile No.: (202) 628-8844

JFM:slw

4873528_1.DOC

Page 12 of 12